



**City of Rochester**

Department of Law  
City Hall Room 400A, 30 Church Street  
Rochester, New York 14614-1295  
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**Peachie L. Jones**  
Municipal Attorney

January 19, 2022

**BY ECF**

Hon. Frank P. Geraci, Jr.  
United States District Judge  
U.S. Courthouse  
100 State Street  
Rochester, New York 14614

Re: Motion for One-day Extension in *Hilderbrant v. City of Rochester, et al.* (21-cv-6714)

Dear Judge Geraci:

The City of Rochester, Andrew Delduca, Bing Reaves, Anthony Mazurkiewicz, and Michael DiPaola (collectively “City Defendants”) respectfully move for a one-day extension to file a Motion to Dismiss in *Hilderbrant v. City of Rochester, et al* (21-cv-6714).

City Defendants’ counsel finalized three motions to dismiss on January 18, 2022—for this case (*Hilderbrant v. City of Rochester, et al.* (21-cv-6714)), *Lynch v. City of Rochester* (21-cv-6708) and *Sorokti v. City of Rochester* (21-cv-6709). The underlying circumstances, claims, and motions to dismiss in these three matters are quite similar. Unlike in *Lynch* and *Sorokti*, however, City Defendants’ counsel neglected to *file* the motion to dismiss in *Hilderbrant*.

After realizing the omission this morning, City Defendants’ counsel asked Plaintiff’s counsel to stipulate to a one-day extension. Plaintiff’s counsel declined to do so, but stated that he would not oppose City Defendants’ motion for an extension, leaving it to the court’s discretion.

City Defendants’ counsel regrets the oversized consequences of her clerical error, especially given City Defendants moved to dismiss the Verified Complaint and have renewed those arguments against the Amended Complaint. City Defendants respectfully request the court grant a one-day extension of the timeframe to file a motion to dismiss, and accept the papers, which will be filed shortly, as timely filed.

Sincerely,

A handwritten signature in blue ink that reads "Peachie L. Jones".

PEACHIE L. JONES  
City of Rochester Municipal Attorney  
*Counsel for City Defendants*

